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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/087,107	03/01/2002	Terese Finitzo	10737/00503	5034

26116 7590 01/03/2006

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EXAMINER

RIMELL, SAMUEL G

ART UNIT PAPER NUMBER

2164

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20051223

DATE MAILED:

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Commissioner for Patents

See Attached Notification

Sam Rimell  
Primary Examiner  
Art Unit: 2164

The reply filed on October 3, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):


Applicant states that the response to the restriction requirement of September 2, 2005 is an election "without traverse", but then proceeds to present arguments in traverse. Accordingly, it is not clear whether the election is made without traverse or with traverse.

MPEP 818 outlines the various forms by which an applicant may reply to an election requirement. An election cannot be made both with traverse and without traverse.

Clarification is required.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.

  
Sam Rimell  
Primary Examiner  
Art Unit 2164